

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

**ALETHIA ADRIANNE SCOTT and
KEVIN ONEIL BROWN**

CR. NO. 2:06CR206-MHT

**UNITED STATES' RESPONSE TO DEFENDANT
KEVIN BROWN'S MOTION TO SEVER**

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files its response to Defendant Brown's Motion to Sever as follows:

1. The United States believes that a plea agreement is very likely to be struck with Defendant Alethia Scott. If Scott does enter into a plea agreement, then Brown's motion would become moot.

2. If, however, Scott does not enter into a plea agreement, then the United States does not oppose separate trials in this case. The United States has reviewed Brown's and Scott's confessions in this case. After so doing, the United States admits that even with redaction of both confessions, the identity of the other defendant would still be clear and would directly inculcate the other co-defendant. *See Gray v. Maryland*, 523 U.S. 185 (1998); *Richardson v. Marsh*, 481 U.S. 2000 (1987); *Bruton v. United States*, 391 U.S. 123 (1968); *United States v. Arias*, 984 F.2d 1139 (11th Cir. 1993).

Respectfully submitted this the 16th day of October, 2006.

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Bill Blanchard.

/s/ Christopher Snyder
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